

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

June 25, 2014
Sheraton Downtown Phoenix Hotel
Phoenix, Arizona

MEMBERS ATTENDING

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| Mayor Michael LeVault, Youngtown, Chair | * Mayor Rebecca Jimenez, Guadalupe |
| Mayor W. J. "Jim" Lane, Scottsdale, Treasurer | Mayor Thomas Schoaf, Litchfield Park |
| * Vice Mayor Robin Barker, Apache Junction | Mayor Christian Price, City of Maricopa |
| Councilmember Kenneth Weise, Avondale | * Supervisor Steve Chucuri, Maricopa County |
| Mayor Jackie Meck, Buckeye | Mayor Alex Finter, Mesa |
| Councilmember Mike Farrar, Carefree | * Mayor Scott LeMarr, Paradise Valley |
| * Councilmember Reginald Monachino, | Mayor Bob Barrett, Peoria |
| Cave Creek | Mayor Greg Stanton, Phoenix |
| Mayor Jay Tibshraeny, Chandler | * Supervisor Todd House, Pinal County |
| Mayor Lana Mook, El Mirage | Mayor Gail Barney, Queen Creek |
| * Mayor Tom Rankin, Florence | * President Diane Enos, Salt River |
| * President Ruben Balderas, Fort | Pima-Maricopa Indian Community |
| McDowell Yavapai Nation | Mayor Sharon Wolcott, Surprise |
| * Mayor Linda Kavanagh, Fountain Hills | Mayor Mark Mitchell, Tempe |
| Vice Mayor Chuck Turner for Mayor Steven | * Mayor Adolfo Gamez, Tolleson |
| Holt, Gila Bend | * Mayor John Cook, Wickenburg |
| * Governor Gregory Mendoza, Gila River Indian | Mr. Jack Sellers, State Transportation Board |
| Community | Mr. Joseph La Rue, State Transportation Board |
| Mayor John Lewis, Gilbert | * Mr. Roc Arnett, Citizens Transportation |
| Mayor Jerry Weiers, Glendale | Oversight Committee |
| Mayor Georgia Lord, Goodyear | |

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference

1. **Call to Order**

The meeting of the MAG Regional Council was called to order by Chair Michael LeVault at 5:05 p.m.

2. **Pledge of Allegiance**

The Pledge of Allegiance was recited.

Chair LeVault presented Mayor Kenneth Weise, Avondale, with his Regional Council membership certificate.

Chair LeVault welcomed Vice Mayor Chuck Turner as proxy for Mayor Steven Holt, Gila Bend.

Chair LeVault presented the Honorable Marie Lopez Rogers with a Resolution of Appreciation that had been prepared in recognition of her contributions to the MAG region. Former Avondale Mayor Rogers is now a member of the Maricopa County Board of Supervisors. Chair LeVault thanked Supervisor Rogers for her efforts that have been so beneficial to the region. She was applauded by the Regional Council and meeting attendees.

Chair LeVault noted that on June 18, 2014, the Transportation Policy Committee recommended approval of items 5C, 5D, and 5E that were on the Regional Council agenda.

3. Call to the Audience

Chair LeVault noted that the Call to the Audience provides an opportunity to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested to not exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair LeVault recognized public comment from Ms. Dianne Barker, who stated that the story of her performing a cartwheel at a MAG meeting got national attention. Ms. Barker stated that she had reviewed MAG's liability policy and she remarked that everyone should review their policies to ensure that their facilities have adequate coverage. She extended her congratulations to Mayor Greg Stanton for supporting a Resolution on climate change at the U. S. Conference of Mayors. Mayor Stanton noted that some people say there is no climate change and he added that there is a \$10,000 prize to anyone who can disprove climate change. Ms. Barker stated that cartwheels are her expression of a multimodal lifestyle. She expressed that our position is threatened when it comes to oil. She remarked that there is good news regarding hiring and home sales. Ms. Barker stated that multimodal feels good. Chair LeVault thanked Ms. Barker for her comments.

4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, did not provide a report in the interest of time.

5. Approval of Consent Agenda

Chair LeVault noted that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, #5J, and #5K were on the Consent Agenda.

Chair LeVault asked members if they had questions or requests to hear a Consent Agenda item individually. None were noted.

Chair LeVault called for a motion to approve Consent Agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J. Mayor Gail Barney moved approval of the Consent Agenda. Mayor Bob Barrett seconded, and the motion passed unanimously.

5A. Approval of the May 28, 2014, Meeting Minutes

The MAG Regional Council, by consent, approved the May 28, 2014, meeting minutes.

5B. Arterial Life Cycle Program Status Report December 2013 - April 2014

The Arterial Life Cycle Program Status Report provides detail about the status of projects, revenues, and other relevant program information for the period between December 2013 and April 2014. This is the program's nineteenth status report and second published in Fiscal Year 2014.

5C. Draft Fiscal Year 2015 Arterial Life Cycle Program

The MAG Regional Council, by consent, approved (1) the draft FY 2015 Arterial Life Cycle Program and (2) amendments and administrative modifications to the 2035 Regional Transportation Plan and the FY 2014-2018 MAG Transportation Improvement Program, as appropriate. The Regional Transportation Plan (RTP) identified 94 arterial street projects to receive funding from the regional sales tax extension and from MAG federal funds. The Arterial Life Cycle Program (ALCP) serves as the financial management tool to implement these projects. Information contained in the ALCP includes project location, regional funding, fiscal year for work, type of work, status of project, and identification of the lead agency. As part of the ALCP process, lead agencies update project information annually. MAG staff has programmed the draft Fiscal Year (FY) 2015 ALCP based on the updated revenue streams, information provided by lead agencies, and the principles defined in the ALCP Policies and Procedures. The draft Arterial Life Cycle Program and the associated amendments and modifications were recommended for approval on May 29, 2014, by the Transportation Review Committee, on June 11, 2014, by the MAG Management Committee, and on June 18, 2014, by the Transportation Policy Committee.

5D. MAG Federally Funded, Locally Sponsored Project Development Status Report

The MAG Regional Council, by consent, approved the MAG Federally Funded, Locally Sponsored Project Development Status Report, of actions that defer, delete, advance, and change projects, and of the necessary amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, and as appropriate, to the 2035 Regional Transportation Plan. The MAG Federal Fund Programming Guidelines & Procedures, approved by the MAG Regional Council on October 26, 2011, outline the requirements for local agencies to submit status information on the development of their federally funded projects. The Project Development Status Report focuses mainly on projects funded with suballocated Federal Highway Administration funds (Congestion Mitigation and Air

Quality Improvement, Highway Safety Improvement Program, and regionwide Transportation Alternatives). These projects are programmed to obligate in Federal Fiscal Year (FFY) 2015, 2016, and 2017. Also included in the report are Surface Transportation Program projects in Pinal County. The Project Development Status Report identifies the projects that are requesting to be deferred to a later year, to be deleted, or to have funds reprogrammed, and that are projected to obligate based on the schedule submitted. A separate agenda item, Project Changes – Amendment and Administrative Modification to the FY 2014-2018 MAG Transportation Improvement Program and to the 2035 Regional Transportation Plan, lists the individual detail of project change line items for the requested amendments and modifications to the FY 2014-2018 MAG Transportation Improvement Program and the 2035 Regional Transportation Plan. This item was recommended for approval on May 29, 2014, by the Transportation Review Committee, on June 11, 2014, by the MAG Management Committee, and on June 18, 2014, by the Transportation Policy Committee.

5E. Project Changes – Amendment and Administrative Modification to the FY 2014-2018 MAG Transportation Improvement Program, and to the 2035 Regional Transportation Plan

The MAG Regional Council, by consent, approved amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, and as appropriate, to the 2035 Regional Transportation Plan. The Fiscal Year (FY) 2014-2018 MAG Transportation Improvement Program (TIP) and 2035 Regional Transportation Plan (RTP) were approved by the MAG Regional Council on January 29, 2014, and have been modified two times, with the last modification approved May 28, 2014. Since then there is a need to make project changes. Highway project changes are included in Table C. Project clarifications for the Regional Transportation Plan Freeway Program and member agency projects are also included and may require conformity determination. Final approval will be contingent on a finding of conformity. The conformity consultation is considered as a separate agenda item. General highway and transit project changes that may require a conformity consultation are included in Table D. This item was recommended for approval on May 29, 2014, by the Transportation Review Committee and on June 11, 2014, by the MAG Management Committee, and on June 18, 2014, by the Transportation Policy Committee.

5F. Federal Transit Administration Discretionary Grant - Bus and Bus Facilities, Ladders of Opportunity Initiative

The MAG Regional Council, by consent, approved supporting a proposal to the FTA through the bus and bus facilities 5309 discretionary grant program, for up to 27 buses as part of the regionwide bus replacement schedule and for the service changes to be implemented in October 2014 and 2015. On June 4, 2014, the Federal Transit Administration (FTA) and the U.S. Department of Transportation (DOT) released a notice of funding availabilities (NOFAs) for \$100 million in competitive grant funding from unspent section 5309 Bus and Bus Facilities funds that were authorized under the previous transportation authorization act. This nationwide competitive grant opportunity can be used to "purchase, replace, or rehabilitate transit buses and vans, as well as to modernize or construct bus facilities (such as maintenance depots and intermodal facilities) in urban, suburban, and rural communities. Competitive proposals must also directly address ladders of opportunity for riders, including: enhancing access to work, supporting economic opportunities, and supporting partnerships and coordinated planning." On

June 16, 2014, the MAG Transit Committee recommended supporting up to 27 buses. Proposals are due to the FTA through grants.gov by August 4, 2014.

5G. MAG 2014 Eight-Hour Ozone Plan-Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area

The MAG Regional Council, by consent, adopted the MAG 2014 Eight-Hour Ozone Plan-Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area. The MAG 2014 Eight-Hour Ozone Plan-Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area has been prepared in accordance with Section 182(a) of the Clean Air Act. On May 21, 2012, the Environmental Protection Agency (EPA) designated the Maricopa nonattainment area as a Marginal Area for the 2008 eight-hour ozone standard of 0.075 parts per million. The draft plan addresses the Marginal Area requirements, such as an Emissions Statement, Baseline Emissions Inventory, Periodic Emissions Inventory, Corrections to Pre-1990 Reasonably Available Control Technology, New Source Review, Corrections to Pre-1990 Previously Required Vehicle Inspection and Maintenance Programs, and Transportation Conformity. The Maricopa nonattainment area will have a December 31, 2015 attainment date. EPA assumes that Marginal Areas will be in attainment of the eight-hour ozone standard within three years of designation without any additional control measures. The deadline for plan submittal to EPA is July 20, 2014. On May 15, 2014, a public hearing was conducted on the draft plan. Following the consideration of comments received, the MAG Air Quality Technical Advisory Committee recommended adoption on May 22, 2014. The MAG Management Committee recommended adoption on June 11, 2014.

5H. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan. The amendment and administrative modification involve several projects, including Arizona Department of Transportation, Valley Metro Rail, and other miscellaneous projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination.

5I. New Finding of Conformity for the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan, As Amended

The MAG Regional Council, by consent, approved the new Finding of Conformity for the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan, as amended. On January 29, 2014, the MAG Regional Council approved the Fiscal Year 2014-2018 MAG Transportation Improvement Program (TIP) and 2035 Regional Transportation Plan. Since that time, an amendment to the TIP and 2035 Regional Transportation Plan is required for Arizona Department of Transportation projects in the Freeway Life Cycle Program and for various Arterial Life Cycle Program projects. The amendment only involves projects in Maricopa County. MAG has conducted the conformity analysis for the proposed amendment and the results of the regional emissions analysis,

when considered together with the TIP and RTP as a whole, indicate that the amendment will not contribute to violations of federal air quality standards. On May 8, 2014, a 30-day agency and public review period began on the conformity assessment and amendment. Recently, additional minor revisions were received for several projects. It is important to note that these minor revisions do not impact the regional emissions analysis previously transmitted for consultation on May 8, 2014. A description of the projects with revisions (shaded) is provided in the revised Attachment B. The new Finding of Conformity for the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan, as amended was recommended for approval by the MAG Management Committee on June 11, 2014. Comments were requested by June 25, 2014.

5J. Update on the MAG 2012 Five Percent Plan for PM-10 and Exceptional Events

On May 30, 2014, the Environmental Protection Agency (EPA) signed a notice approving the MAG 2012 Five Percent Plan for PM-10. The plan demonstrated that the measures will reduce emissions by five percent per year and demonstrated attainment of the standard by December 31, 2012. EPA determined that the region has met the standard based upon three years of clean data for 2010-2012, as measured by the air quality monitors. In 2013, there were six exceptional event days due to regional dust storms, thunderstorms and high winds. Documentation for the exceptional event days has been prepared and submitted to EPA for concurrence. In 2014, there was one exceptional event day on May 11, 2014 due to a regional dust storm. In addition, EPA did not propose revisions to the Exceptional Events Rule in April 2014, as originally planned, due to resource constraints.

5K. Regional Coordination to End Domestic Violence

As part of the Protocol Evaluation Project, the Maricopa Association of Governments and Maricopa County Attorney's Office will co-host the Solutions for Safety event on August 12, 2014. The purpose of the event is to explore challenges and develop solutions for enhancing the way the criminal justice system responds to domestic violence. The event invites elected officials, law enforcement, prosecutors, victim advocates and others working to address domestic violence to participate in discussions and action planning to increase victim safety and hold more offenders accountable.

6. MAG 208 Water Quality Management Plan Point Source Update

Julie Hoffman, MAG staff, stated that MAG has been in the process of revising the Point Source section of the MAG 208 Water Quality Management Plan, which describes the preferred wastewater treatment configuration for the region over a 20-year planning horizon. She said that in 1974, MAG was designated by the Governor as the Regional Water Quality Management Planning Agency for the Maricopa County area. It is in this capacity that MAG prepares the 208 Water Quality Management Plan.

Ms. Hoffman stated that the initial 208 Plan was completed in 1979 with major revisions in 1982, 1993, and 2002. She reported that the plan consists of two major elements: the Point Source element and the Nonpoint Source element. Ms. Hoffman stated that the Point Source element describes the preferred wastewater treatment system to serve the wastewater treatment needs of the region over a 20-year time period. The Nonpoint Source element primarily includes a description of regional surface and

groundwater quality, and the federal and state program activities designed to control Nonpoint Source pollution.

Ms. Hoffman stated that the 208 Plan is the key guiding document used by Maricopa County and the Arizona Department of Environmental Quality in granting permits for wastewater treatment plants in the region. She noted that consistency with the 208 Plan is required for permit approvals. Ms. Hoffman stated that there are two ways to modify the plan outside a major revision: through the 208 Amendment Process or the Small Plant Review and Approval Process.

Ms. Hoffman reported that there have been twenty-two 208 Amendments and six Small Plant Review and Approvals since the plan was last updated in 2002, which have been incorporated into the Point Source Update. She noted that the latest socioeconomic projections and Municipal Planning Area boundaries have been included as well.

Ms. Hoffman stated that the draft descriptions were sent out to the MAG member agencies for their review. The MAG member agencies updated their sections and the draft document was then sent to MAG member agencies in March. Ms. Hoffman stated that the MAG Water Quality Advisory Committee reviewed the document and on April 1, 2014, authorized the public hearing.

Ms. Hoffman stated that since then, comments were submitted by MAG member agencies. She added that these changes were not significant, and the majority of the changes were incorporated into the document prior to it being made available for the 30-day public review period. Ms. Hoffman stated that all of the comments received after the April 1, 2014, Water Quality Advisory Committee meeting are addressed in the response to comments provided in the agenda packet.

Ms. Hoffman reported that the Point Source Update includes 122 wastewater treatment facilities. There are 35 new facilities added to the 208 Plan through 208 Amendments and Small Plant Review and Approvals. Two additional future facilities, the Special Planning Area 6 facility in Surprise and the Pecos water reclamation facility in Goodyear, were also added. Ms. Hoffman noted that almost 20 plants are being removed from the Plan.

Ms. Hoffman reviewed the schedule. She noted that immediately following the public hearing, the Water Quality Advisory Committee recommended approval of the Draft MAG 208 Water Quality Management Plan Point Source Update. Ms. Hoffman stated that the MAG Management Committee recommended approval of the Plan on June 11, 2014. She said that the MAG Regional Council is requested to take action, after which MAG would submit it to the State Working Group to make a recommendation to the Arizona Department of Environmental Quality (ADEQ), which after certification, would submit it to the Environmental Protection Agency for approval.

Ms. Hoffman noted that the Arizona Department of Environmental Quality (ADEQ) is currently discussing an update to the State Water Quality Management Plan. This plan was prepared in 1979 and has not been updated since that time. As part of this process, ADEQ is looking at opportunities for streamlining the 208 program. The proposed option being considered by ADEQ would jeopardize the

local control in the MAG 208 Process. MAG staff has expressed concern to ADEQ. We continue to have discussions.

Chair LeVault thanked Ms. Hoffman for her report and asked if there were questions.

Mayor Sharon Wolcott asked for clarification of the roles of member agencies outside of Maricopa County on MAG 208 amendments. Ms. Hoffman stated that MAG serves as the designated Regional Water Quality Management Planning Agency for Maricopa County only. She noted that areas outside Maricopa County are within other planning areas for 208 purposes, for example, Central Arizona Governments serves as the Regional Water Quality Management Planning Agency for Pinal County. Ms. Hoffman stated that MAG works cooperatively with the other Councils of Governments when 208 amendments are near the Maricopa County border. As part of the MAG 208 Process, jurisdictions within three miles of the project are contacted and requested to provide a letter of no objection.

With no further questions, Mayor Bob Barrett moved approval of the MAG 208 Water Quality Management Plan Point Source Update. Mayor Georgia Lord seconded, and the motion passed unanimously.

7. Appointment of Members and Officers for the Transportation Policy Committee

Mr. Dennis Smith reported on March 24, 2014, the Chair of the MAG Regional Council sent a memorandum to Regional Council members requesting letters of interest for the appointment of member agency representatives and officers on the Transportation Policy Committee (TPC). He stated that letters of interest received by MAG were included in the agenda packet as Attachment A, including letters of interest from Chandler Councilmember Jack Sellers for Chair and Glendale Mayor Jerry Weiers for Vice Chair. Mr. Smith added that there were no conflicts for appointments. The Regional Council is requested to appoint the member agency representatives of the TPC and the officer positions.

Mayor John Lewis moved to approve the appointment of the members and officers of the Transportation Policy Committee, according to the letters of interest received as seen in Attachment A. Mayor Georgia Lord seconded, and the motion passed unanimously.

8. Election of Regional Council Officers and Executive Committee Members

Mayor Thomas Schoaf, member of the 2014 MAG Nominating Committee, stated that on May 20, 2014, the MAG Nominating Committee met and made recommendations for the positions of Chair, Vice Chair, Treasurer, and four At-Large Members for the coming year (2014-2015).

Mayor Schoaf reported that the slate recommended by the Nominating Committee, consisting of Mayor Michael LeVault, Town of Youngtown, as Chair; Mayor W. J. "Jim" Lane, City of Scottsdale, as Vice Chair; Mayor Greg Stanton, City of Phoenix, as Treasurer; and Mayor Jackie Meck, City of Buckeye, Mayor Lana Mook, City of El Mirage, Mayor Gail Barney, Town of Queen Creek, and Mayor Mark Mitchell, City of Tempe, as At-Large Members.

Mayor John Lewis moved to elect the Regional Council officers as recommended by the Nominating Committee: Mayor Michael LeVault, Town of Youngtown, as Chair; Mayor W. J. “Jim” Lane, City of Scottsdale, as Vice Chair; Mayor Greg Stanton, City of Phoenix, as Treasurer; and Mayor Jackie Meck, City of Buckeye, Mayor Lana Mook, City of El Mirage, Mayor Gail Barney, Town of Queen Creek, and Mayor Mark Mitchell, City of Tempe, as At-Large Members. Mayor Sharon Wolcott seconded, and the motion passed unanimously.

9. Legislative Update

Nathan Pryor, MAG staff, provided an update on legislative issues of interest. He said that a provision in the current federal transportation legislation, MAP-21, requires that metropolitan planning organizations that serve as a transit management area include a public transit representative on their boards by October 1, 2014. Mr. Pryor noted that guidance by Federal Transit Administration and the Federal Highway Administration has been published in the Federal Register. He added that staff is working on the process for implementing this and will be bringing it back at a future date, probably in September.

Chair LeVault thanked Mr. Pryor for his report. No questions from the Council were noted.

10. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting were requested.

No requests were noted.

11. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

No comments were noted.

Adjournment

There being no further business, the meeting adjourned at 5:35 p.m.

Chair

Secretary